Mail Stop RCE

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PATENT & TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Application Number	10/678,683
Filing Date	October 3, 2003
Inventor(s)	RICH et al.
Conf. No.	9969
Group Art Unit	2878
Examiner	Rosenberger, F.
Express Mail Label No.: EV 196253845 US	Attorney Docket No. 02-38

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37. C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice , Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted
   i. ☐ Consider the Amendment(s)/Response under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered Amendment(s) referred to above will be entered).
   ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
   iii. ☐ Other: _____

b. ☒ Enclosed
   i. ☒ Amendment/Reply;
   ii. ☐ Affidavit(s)/Declaration(s);
   iii. ☐ Information Disclosure Statement (IDS); and/or
   iv. ☐ Other: _____

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2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

b. ☐ Other: _____

3. Petition For Extension of Time

A Petition to Extend the life of the present application to at least to the date hereof:

a. ☐ is not necessary.
b. ☐ was previously filed on _____.
c. ☒ is being concurrently filed in this application. (The fee for this petition is itemized below)

4. Fees (Fee Transmittal Form is attached - in duplicate)

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-0558.
   i. ☒ RCE fee of $790.00 required under 37 C.F.R. § 1.17(e)
   ii. ☒ Extension of time fee of $1,020.00 required under 37 C.F.R. §§ 1.136 and 1.17
   iii. ☐ Other: _____

b. ☐ Check in the amount of $_____ enclosed, check no. _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	Michael W. Haas
Date	August 23, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:
Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: August 23, 2006,
Express Mail Label No. EV 196253845 US.

Typed Name	Michael W. Haas, Reg. No. 35,174		
Signature	Michael W. Haas	Date	August 23, 2006